



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: CLARK ET AL. Examiner: J. CHENG
Serial No.: 10/690,488 Group Art Unit: 3713
Filed: OCTOBER 20, 2003 Docket: 1165.54USC6
Confirmation No.: 6517
Title: SYSTEM FOR PROVIDING FEEDBACK TO RESOLVERS

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on September 30, 2005.

By: 

Name: Kristine A. Wacek

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

23552

PATENT TRADEMARK OFFICE

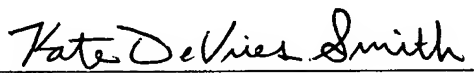
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Other: Further Notification of Litigation and copy of Order of Dismissal
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

By: 
Name: Katherine M. DeVries Smith
Reg. No.: 42,157
KDeVriesSmith:PLSkaw

S/N 10/690,488

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	CLARK ET AL.	Examiner:	J. CHENG
Serial No.:	10/690,488	Group Art Unit:	3713
Filed:	OCTOBER 20, 2003	Docket No.:	1165.54USC6
Title:	SYSTEM FOR PROVIDING FEEDBACK TO RESOLVERS		

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FURTHER NOTIFICATION OF LITIGATION

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

23552

PATENT TRADEMARK OFFICE

Dear Sir:

Applicants previously informed the US Patent & Trademark Office of litigation proceedings involving patents that are related to the pending application captioned above. Applicants hereby provide the US Patent & Trademark Office with an additional document related to the resolution of a litigation proceeding that was described in the previous Notification of Litigation.

Measurement Incorporated Litigation

The previous Notification of Litigation document described a "Current Measurement Incorporated Litigation" involving Measurement Incorporated, TMS, Inc., and VSC Technologies, LLC, in United States District Court for the Eastern District of North Carolina, and described how the patents in that suit were related to the patent application referenced above. This litigation has now ended, and the Order of Dismissal is submitted herewith. (See Order of Dismissal, June 7, 2005, Civil Action No. 5:02-CV-778-H(3), Eastern District of North Carolina Western Division, Measurement Incorporated et al. vs. NCS Pearson, Inc., attached.).


Conclusion

The Examiner is invited to contact Kate DeVries Smith at the number listed below with any questions about these litigation matters or to view any additional documents.

Respectfully submitted,

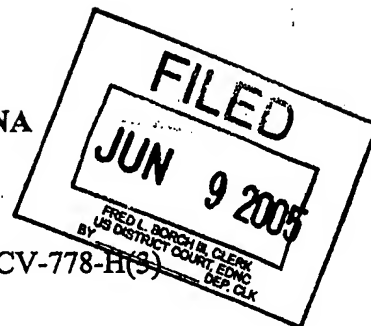
MERCHANT & GOULD P.C.
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Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: Sept. 30, 2005


Katherine M. DeVries Smith
Reg. No. 42,157
KDS



UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION



CIVIL ACTION NO.: 5:02-CV-778-H(3)

MEASUREMENT INCORPORATED;
TMS, INC. (authorized to do business in North
Carolina under the name TMSSEQUOIA
CORP.); and
VSC TECHNOLOGIES, LLC,

Plaintiffs

v.

NCS PEARSON, INC.,

Defendant

ORDER OF DISMISSAL
F.R.Civ.P.41(a)

This matter coming before the Court upon motion of Plaintiffs for entry of an order voluntarily dismissing the claims and counterclaims herein, and it appearing to the Court that good cause has been shown therefor,

IT IS ORDERED that this matter including all claims and counterclaims be entirely dismissed, and that each party shall bear its own costs.

This 7th day of ~~May~~ ^{June}, 2005.

I certify the foregoing to be a true and correct
copy of the original.
Fred L. Borgh III, Clerk
United States District Court
Eastern District of North Carolina

By
Deputy Clerk